

REMARKS

Please reconsider this application in view of the above amendments and the following remarks. The Applicant thanks the Examiner for carefully considering this application.

Specification Amendments

By way of this reply, page 1, lines 5-8 and page 15, lines 4-11 of the specification have been amended to include the serial number and filing date of the related application, to correct the attorney docket number, and to correct typographical errors. The Applicant respectfully asserts that no new matter is added by way of these amendments, as the amendments were made solely to correct informalities in the specification.

Attorney Docket Number

The Applicant respectfully requests that the Examiner update the attorney docket number in the present application to "03226/539001; P6089."

Disposition of Claims

Claims 1-24 are pending in the application. Claims 1, 7, 13, and 22 are independent. The remaining claims depend, directly or indirectly, from claims 1, 7, 13, and 22.

Drawings

The Applicant respectfully requests that the Examiner indicate whether the drawings filed August 13, 2001 are acceptable.

Rejections under 35 U.S.C. § 102

Claims 1-24 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,473,609 (hereinafter “Schwartz”). This rejection is respectfully traversed.

“[A] claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference [emphasis added].” Further, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim” (*see* MPEP § 2131). The Applicant respectfully asserts that Schwartz does not expressly or inherently describe each and every element of independent claims 1, 7, 13, and 22. Each of the aforementioned independent claims, and claims depending therefrom, are discussed below.

Claims 1-6

Independent claim 1 relates to a wireless server system. The wireless server system recited in independent claim 1 includes multiple extensible hierarchical file modules, each of which provides identifying file parameters pertinent to a particular type of wireless client. The wireless server system also includes a file manager service. The file manager service is configured to receive a particular client type associated with a particular wireless client, and dynamically select files from the extensible hierarchical file modules based on the particular client type. Finally, as recited in the claim, the file manager service is configured to apply a selected file module to the aforementioned wireless client, to identify the wireless client (*see, e.g.,* page 14, line 19 – page 15, line 2 of the instant specification).

Turning to the rejection of claims 1-6, independent claim 1 recites, in part, “a plurality of extensible hierarchical file modules, each providing respective identifying file

parameters pertinent to a type of wireless client.” Schwartz admittedly describes identifying a particular type of wireless client. However, to identify a particular type of wireless client, Schwartz merely describes delivering display characteristics from the wireless client to a link server (*see* Schwartz, col. 17, line 65 – col. 18, line 5). In particular, Schwartz does not expressly or inherently describe extensible hierarchical file modules providing respective identifying file parameters pertinent to a type of wireless client.

With respect to extensible hierarchical file modules, the Examiner has attempted to equate the server module of Schwartz with the plurality of extensible hierarchical file modules recited in the claim (*see* Office Action dated April 7, 2006, page 2). However, the Examiner merely references the diagram of the server module shown in Schwartz, Fig. 3A, and does not provide *any* indication *whatsoever* of where, specifically, Schwartz describes a plurality of extensible hierarchical file modules.

While the Applicant recognizes that the Examiner is required to give the claims their broadest reasonable interpretation, in taking the above approach, the Examiner has read out the plain meaning of the term “hierarchical.” Specifically, the plain meaning of the term “hierarchical” is a structure (in the present case a data structure) having parent-child relationships. Taking the aforementioned plain meaning of the term “hierarchical” in the context of the claim, the extensible hierarchical file modules must be organized such that there are parent-child relationships between the individual extensible hierarchical file modules. A thorough review of Schwartz reveals that Schwartz is completely silent with respect to *any* sort of hierarchical structure *whatsoever*. Moreover, the Examiner does not provide *any* indication *whatsoever* of where Schwartz expressly or inherently describes each of the extensible

hierarchical file modules “providing respective identifying file parameters pertinent to a type of wireless client.”

Further, independent claim 1 recites, in part, “a file manager service, in response to receiving a particular client type associated with a particular wireless client for dynamically selecting files in said plurality of hierarchical file modules based on said particular client type.” As discussed above, Schwartz does not expressly or inherently describe a plurality of extensible hierarchical file modules. Accordingly, Schwartz also cannot possibly describe selecting files in said plurality of extensible hierarchical file modules.

Moreover, even assuming *arguendo* that Schwartz describes a plurality of extensible hierarchical file modules, Schwartz does not expressly or inherently describe a file manager service “for dynamically selecting files in said plurality of hierarchical file modules based on said particular client type.” Specifically, the Examiner has attempted to equate the message processor shown in Fig. 3A of Schwartz with the file manager service of the claimed invention (*see* Office Action dated April 7, 2006, page 2). In fact, the message processor of Schwartz *receives messages* and *processes* them into a compact format suitable for a mobile device. For example, the message processor may process a handheld device markup language (HDML) message to create a corresponding screen description data (SDD) message (*see* Schwartz, col. 8, lines 46-67 and col. 9, lines 29-40). Clearly, *processing a message* in the manner described by Schwartz is not equivalent to *selecting files in a plurality of extensible hierarchical file modules*, as required by the claimed invention. Moreover, the Applicant respectfully asserts that message processing is not inherently equivalent to file selection, since message processing, as described in Schwartz, requires only that a message be *received*, not *selected*.

In view of the above, Schwartz clearly does not expressly or inherently describe each and every element of independent claim 1. Thus, independent claim 1 is patentable over Schwartz for at least the reasons given above. Claims 2-6 depend, directly or indirectly, from claim 1, and are therefore patentable over Schwartz for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 7-12

Independent claim 7 relates to a client aware hierarchical file manager system in a wireless network. The system recited in claim 7 includes a wireless server, multiple classes of wireless clients each having unique file parameters, and an extensible file manager service for providing a file storage and retrieval procedure in response to file access requests from the wireless clients. Specifically, the “unique file parameters” recited in the claim provide guidance to the file manager service for storing and retrieving files unique to each class of wireless client (*see, e.g.*, page 15, lines 13-23 and page 16, lines 7-23 of the instant specification).

Turning to the rejection of claims 7-12, independent claim 7 recites, in part, “a plurality of classes of wireless clients, each having unique file parameters; and an extensible file manager service for providing a file storage and retrieval procedure in response to file access requests from said wireless clients.” As an initial matter, the Examiner attempts to equate the link server and server module shown in Fig. 3A of Schwartz with the “plurality of classes of wireless clients” and “extensible file manager service” recited in the claim (*see* Office Action dated April 7, 2006, page 3). However, the server module of Schwartz is clearly a subcomponent of the link server, while classes of wireless clients cannot reasonably be characterized as subcomponents of an extensible file manager. Further, the Applicant respectfully submits that even using the broadest reasonable interpretation of “a plurality of

classes of wireless clients,” neither a server module nor a link server can be properly equated to classes of wireless clients. Thus, to rely on the link server and server module of Schwartz to describe the plurality of classes of wireless clients and extensible file manager service recited in the claim, the Examiner would be required to mischaracterize both the claims and the cited art.

Further, even assuming *arguendo* that Schwartz describes classes of wireless clients and an extensible file manager, Schwartz does not describe where the extensible file manager includes functionality “for providing a file storage and retrieval procedure in response to file access requests from said wireless clients.” While Schwartz admittedly describes storing various types of data, such as user accounts, URLs, and program code (*see* Schwartz, col. 3, lines 64-65, col. 4, lines 11-12, and col. 19, lines 2-9), Schwartz is completely silent with respect to *any sort of file storage in response to file access requests*.

In view of the above, Schwartz clearly does not expressly or inherently describe each and every element of independent claim 7. Thus, independent claim 7 is patentable over Schwartz for at least the reasons given above. Claims 8-12 depend, directly or indirectly, from claim 7, and are therefore patentable over Schwartz for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 13-21

Independent claim 13 relates to a wireless server. The wireless server recited in claim 13 includes a client aware file manager service for providing file storage and retrieval service to wireless clients accessing the wireless server. The wireless server also includes multiple client aware hierarchical file modules, for hierarchically storing file characteristics. Specifically, the stored file characteristics are pertinent to a particular client and a class of clients. The wireless server further includes client data storage for storing client type

information, and session service logic for storing transient session information for the wireless clients.

Turning to the rejection of claims 13-21, independent claim 13 recites, in part, “a plurality of client aware hierarchical file modules for hierarchically storing file characteristics pertinent to a particular client and a class of clients within said plurality of wireless clients.” As discussed above, Schwartz is completely silent with respect to *any* sort of hierarchical configuration. Thus, Schwartz cannot possibly describe *hierarchically* storing file characteristics.

Further, independent claim 13 recites, in part, “a client data storage for storing client type information.” The Examiner has attempted to equate the device ID storage shown in Fig. 3B of Schwartz with the client data storage of the recited in the claim (*see* Office Action dated April 7, 2006, page 4). However, the device ID storage referenced by the Examiner is contained within a mobile device, and only stores data about that specific device (*see* Schwartz, col. 10, lines 36-40). In contrast, independent claim 13 is directed to a *wireless server*. Accordingly, the client data storage recited in independent claim 13 is for storing client type information for the *plurality* of wireless clients accessing the wireless server (*see, e.g.*, page 18, lines 1-14 of the instant specification). Clearly, a mobile device storing only its own identifying data is not *at all* equivalent to a wireless server storing client data for *multiple* wireless clients.

In view of the above, Schwartz clearly does not expressly or inherently describe each and every element of independent claim 13. Thus, independent claim 13 is patentable over Schwartz for at least the reasons given above. Claims 14-21 depend, directly or indirectly, from claim 13, and are therefore patentable over Schwartz for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 22-24

Independent claim 22 relates to a client aware file management service. The file management service recited in claim 22 includes multiple client aware file characteristics modules, and client aware file selection logic.

Turning to the rejection of claims 22-24, independent claim 22 recites, in part, “client aware file selection logic.” The Examiner has attempted to equate a description of the message processor of Schwartz with the client aware file selection logic recited in the claim (*see* Office Action dated April 7, 2006, page 5). However, as described above, the message processor of Schwartz *receives messages* and *processes* them into a compact format suitable for a mobile device. For example, the message processor may process a handheld device markup language (HDML) message to create a corresponding screen description data (SDD) message (*see* Schwartz, col. 8, lines 46-67 and col. 9, lines 29-40). Thus, Schwartz is completely silent with respect to the message processor performing *any* sort of file *selection* whatsoever.

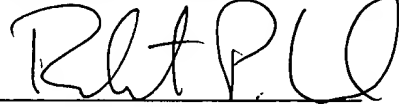
In view of the above, Schwartz clearly does not expressly or inherently describe each and every element of independent claim 22. Thus, independent claim 13 is patentable over Schwartz for at least the reasons given above. Claims 23-24 depend, directly or indirectly, from claim 22, and are therefore patentable over Schwartz for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

The Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/539001; P6089).

Dated: July 7, 2006

Respectfully submitted,

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Attachments: Clean copies of amended paragraphs (2 sheets)

CLEAN COPY OF AMENDED PAGE 1, LINES 5-8

This patent application is related to co-pending patent application serial number 09/929,477, filed on August 13, 2001, by Luu Tran et al., entitled "Client Aware Detection in a Wireless Portal System", attorney docket No.: 03226/539001; P6087, which is hereby incorporated herein by reference in its entirety.



CLEAN COPY OF AMENDED PAGE 15, LINES 4-11

In a preferred embodiment of the present invention, FM 320 uses client type information received from Client Detection module 315 in retrieving client specific files from file systems in server 210 in response to client specific requests. Consequently, FM 320 is not directly tied to any particular markup language or protocol. The function of Client Detection Module 315 is described in the co-pending US Patent Application serial number 09/929,477, entitled "Client Aware Detection in a Wireless Portal System", filed August 13, 2001, assigned to the assignee of the present invention and hereby incorporated herein by reference.